

PLANNING COMMISSION OF THE CITY OF CALIFORNIA CITY

AGENDA



Meeting Date: Tuesday May 15, 2018.

Time: 6:00 p.m.

**Location: Council Chambers, 21000 Hacienda Blvd.
California City, CA 93505**

If you need special assistance to participate in this meeting, please contact the Planning Secretary's office at (760) 373-7141. Notification of 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

NOTE: Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda is available for public inspection in the City Clerk's office at City Hall located at 21000 Hacienda Blvd, California City, Ca during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable laws. These writings are also available for review in the public access binder in the Council Chambers at the time of the meeting.

LATE COMMUNICATIONS: Following the posting of the agenda any emails, writings or documents that the public would like to submit to the Commission must be received by the Recording Secretary no later than 3:00 p.m. the Monday prior to the meeting. Past that deadline citizens may bring these items directly to the meeting. Please bring 10 copies for distribution to Commission, staff and the public.

****At this time, please take a moment to turn off your cell phones****

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE / INVOCATION

3. ROLL CALL

Honorable Chairman Creighton, Commissioners Elmes, Hogan & Trumble

4. APPROVAL OF AGENDA

5. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA

Members of the public are welcome to address the Planning Commission only on those items that are not on the agenda over which the Planning Commission has jurisdiction. Please state your name for the record and limit your comments to three minutes. Each member of the public will be given three minutes to speak.

6. PLANNING SECRETARY REPORTS / LATE COMMUNICATIONS

7. CONSENT CALENDAR

All items on the consent calendar are considered routine and non-controversial and will be approved by one motion if no member of the Commission, staff or public wishes to comment or ask questions. (Public comments to be limited to three minutes) Roll call vote required.

CC1: Adopt minutes **09/05/2017, 10/03/2017**

8. PUBLIC HEARINGS

PH1: Proposal to adopt Initial Study and Negative Declaration 18-01 to rezone 20 acre of land located at the west half of the east half of south half of the northeast quarter of Section 22, Township 32S, Range 36E, MBD&M in the City of California City, County of Kern from R5 – One Family Residential District Estate Density to M1 – Light industrial & Research and adopt General Plan Amendment 18-01, changing the general plan designation from R5 – One Family Residential District Estate Density to M1- Light industrial & Research

Project Location: The 20 acre parcel is approximately 2 miles Northeast of State Highway 14, about 0.9 miles North of California City Boulevard. APN: 225-083-03.

Project Description: The applicant is Devery Grimshaw, REMAX/Clearview – 8100, California City Boulevard, CA 93505. Ms. Grimshaw proposes an Industrial Business park for cannabis cultivation, solar power generation, storage facilitates or similarly structured industries encompassing 210,000 sq.ft. of buildable area per site plan.

Applicant: Devery Grimshaw, REMAX/Clearview

Parcel Owners: Co-Owners - Devery Grimshaw, REMAX/Clearview & Michael J Meister, LoCam LLC

Environmental Determination: An Initial Study/Negative Declaration (IS/ND) was prepared in accordance with the Lead Agency's Guidelines implementing the California Environmental Quality Act. The IS/ND found that the environmental effects from the project would be less than significant.

Recommendation: Conduct the public hearing, take public testimony, and adopt Resolution PC-05-15 ZC 18-01, adopting Initial Study and Negative Declaration 18-01, General Plan Amendment GPA 18-01, Zone Change ZC 18-01 rezoning 20 acres of land located in the west half of the east half of south half of the northeast quarter of Section 22, Township 32S, Range 36E, MBD&M in the City of California City, County of Kern from R5 – One Family Residential District Estate Density to M1 – Light industrial & Research and adopt General Plan Amendment 18-01, changing the general plan designation from R5 – One Family Residential District Estate Density to M1- Light industrial & Research.

PUBLIC HEARING PROCEDURE

- A. Chairman reads the item
- B. Chairman declares Public Hearing open
- C. Hear Staff Report
- D. Commission questions only
- E. Ask Secretary to report on any communication(s)
- F. Chairman calls for Public Testimony
- G. Close Public Hearing by motion
- H. Commission decision
- I. Commission motion and vote

1. DISCUSSION, PRESENTATIONS & OTHER ACTION ITEMS

D1: Chairman Creighton: Discrepancies in the RM1 district (Discussion only)

D2: Continued Zone change discussion by request of the applicant Edward Borna

2. CONTINUED BUSINESS

3. COMMISSIONER ITEMS AND COMMENTS

This portion of the meeting is reserved for Planning Commissioners to present information, announcements, and items that have come to their attention. Short staff responses may be appropriate. The Planning Commission will take no formal action. A Planning Commissioner member may request to calendar an item for consideration at a future meeting, or refer an item to staff.

Chairman Creighton
Vice Chairman Elmes
Commissioner Trumble
Commissioner Hogan

4. STAFF ANNOUNCEMENTS / REPORTS

5. ADJOURNMENT

AFFIDAVIT OF POSTING: This agenda was posted on all official City bulletin boards, the City's website and agenda packets were completely accessible to the public at City Hall at least 72 hours prior to the Planning Commission Meeting.

**REGULAR MEETING
CITY OF CALIFORNIA CITY
PLANNING COMMISSION
TUESDAY, SEPTEMBER 5, 2017, 6:00 P.M.
Council Chambers,
21000 Hacienda Blvd.
MINUTES**

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A. CALL TO ORDER

Chairman Pope called the meeting to order at 6:00 p.m.
Following the Pledge of Allegiance and Invocation the Planning Technician called the roll:

PRESENT: Chairman Samuel Pope, Vice Chairman Don Trumble,
Commissioners Ron Hogan and Inge Elmes

ABSENT: Commissioner Jim Creighton

B. ADOPTION OF AGENDA

Motion by Commissioner Vice Chairman Don Trumble, second by Commissioner Inge Elmes to adopt the agenda.

Adopt Minutes: No Minutes

C. PUBLIC HEARING

PH:1 – to consider Conditional Use Permit (CUP) 17-03 for a Church to be located in the Aloha Plaza, at 8401 California City Boulevard, Unit 1, for Pastor Lennard Wilds.

Public Comment:

None.

Motion to close public comment by Commissioner Ron Hogan, second by Vice Chairman Don Trumble. 4-0

Motion by Vice Chairman Don Trumble, second by Commissioner Inge Elmes to approve CUP 17-03. Roll call vote as follows:

AYES: Pope, Trumble, Elmes and Hogan

NAYS: None

ABSTAIN: None

ABSENT: Creighton

D. ADJOURNMENT

Motion by Commissioner Ron Hogan, second by Vice Chairman Don Trumble to adjourn at 6:34 p.m. 4-0 Motion carried.

Respectfully submitted by,

Anu Doravari, Planning Technician

APPROVED BY PLANNING COMMISSION ON _____

**REGULAR MEETING
CITY OF CALIFORNIA CITY
PLANNING COMMISSION
TUESDAY, OCTOBER 3, 2017, 6:00 P.M.
Council Chambers,
21000 Hacienda Blvd.
MINUTES**

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A. CALL TO ORDER

Chairman Pope called the meeting to order at 6:00 p.m.
Following the Pledge of Allegiance and Invocation the Planning Technician called the roll:

PRESENT: Chairman Samuel Pope and Vice Chairman Don Trumble
Commissioners Inge Elmes

ABSENT: Commissioner Jim Creighton and Ron Hogan.

B. ADOPTION OF AGENDA

Motion by Commissioner Vice Chairman Don Trumble, second by Commissioner Inge Elmes to adopt the agenda.

Adopt Minutes: No Minutes

C. PUBLIC HEARING

PH:1 – Proposed Lot Merger LM 17-00

Public Comment:

None.

Motion to close public comment by Commissioner Inge Elmes, second by Vice Chairman Don Trumble. 3-0

Motion by Vice Chairman Don Trumble, second by Commissioner Inge Elmes to approve LM 17-00. Roll call vote as follows:

AYES: Pope, Trumble, and Elmes

NAYS: None

ABSTAIN: None

ABSENT: Creighton and Hogan

PH:1 – Proposed Lot Merger LM 17-07

Public Comment:

None.

Motion to close public comment by Commissioner Inge Elmes, second by Vice Chairman Don Trumble. 3-0

Motion by Vice Chairman Don Trumble, second by Commissioner Inge Elmes to approve LM 17-07. Roll call vote as follows:

AYES: Pope, Trumble, and Elmes

NAYS: None

ABSTAIN: None

ABSENT: Creighton and Hogan

D. ADJOURNMENT

Motion by Commissioner Ron Hogan, second by Vice Chairman Don Trumble to adjourn at 6:40 p.m. 3-0 Motion carried.

Respectfully submitted by,

Anu Doravari, Planning Technician

APPROVED BY PLANNING COMMISSION ON _____



**CITY OF CALIFORNIA CITY
STAFF REPORT**

TO: Honorable Chairman & Members of the Planning Commission

FROM: Craig Platt, Public Works Director

MEETING DATE: May 15, 2018

SUBJECT: Public Hearing to consider Zone Change or ZC 18-01 & General Plan Amendment or GPA 18-01 and adopting the Initial Study (IS) and Negative Declaration (ND) and approve Resolution No PC 18-01 for applicant Devery Grimshaw, 8100 California City Boulevard, CA 93505.

STAFF RECOMMENDATION:

Adopt Resolution No PC-05-15 ZC 18-01, recommending that the City Council City of California City (the “City”):

1. Adopt the Initial Study and Negative Declaration IS/ND 18-01
2. Adopt Zone Change ZC 18-01, and
3. Adopt Ordinance No_____ approving General Plan Amendment No GPA 18-01

BACKGROUND:

A. Applicant:

Devery Grimshaw
Clearview/REMAX
8100, California City Boulevard
CA 93505

B. Property Owners:

1. Co-Owner: Devery Grimshaw, Clearview/ REMAX
2. Co-Owner: Michael. J. Meister, LoCam LLC

C. General Location:

The 20 acre vacant land is located north of California City Boulevard and east of California State Route Highway 14 bearing Assessor’s Parcel Number or APN: 225-083-03 in Section 22, Township 32, Range 36, Latitude 35.1346, Longitude -118.0961 in the City of California City, County of Kern, CA 93505. The property lies within the project area of the 1988-2028 City of California City Redevelopment Plan and Project Area Environmental Impact Report (EIR) (SCH #871109128). The property is located approximately 4.5 miles north of California City Boulevard on the east side of State Highway 14.

Figure 1 in the next page describes the location of the proposed project on a Zoning Map representing surrounding zone designation around the proposed “project”.

Figure 1: Zoning Map | ZC 18-01/GPA 18-01

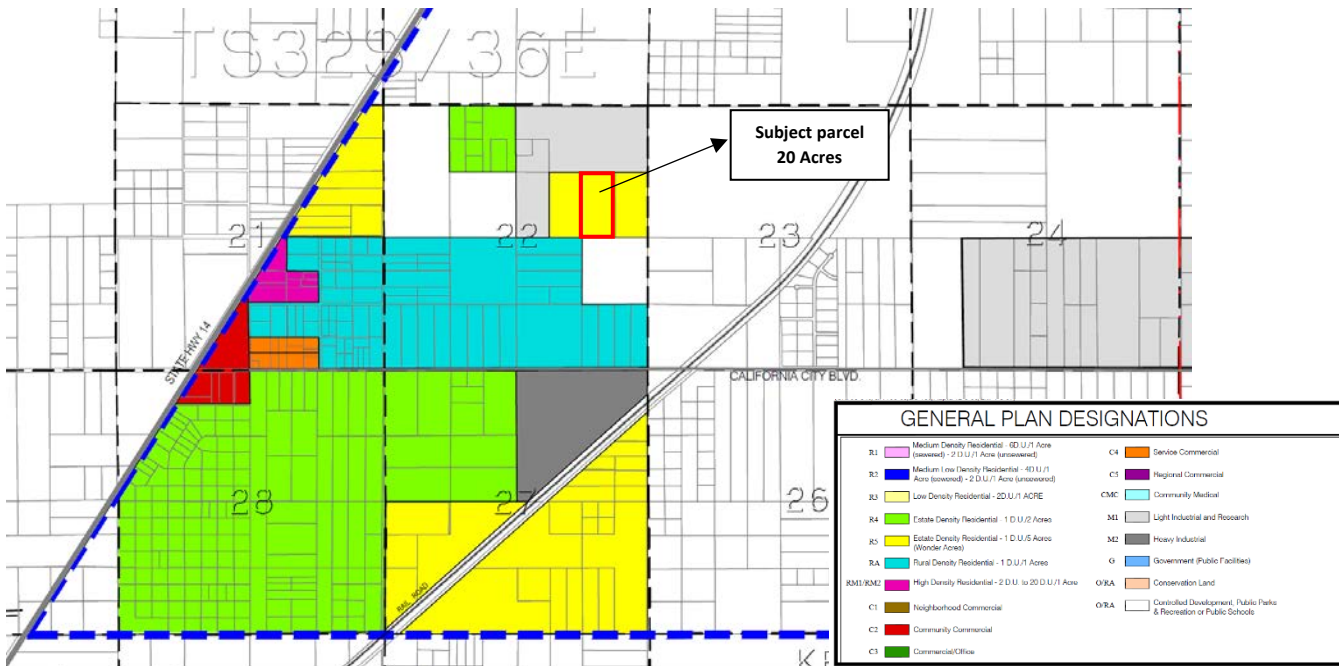


Figure 1: Aerial Photo | ZC 18-01/GPA 18-01

D. **Existing Zoning & General Plan Designation:** (R5) - One-family residential district Estate density

E. **Proposed Zoning:** (M1) - Light Industrial

Surrounding General Plan & Zoning:

Direction	Zoning	Land Use
North	M1- Light Industrial & Research	Vacant
South	O/RA – Open Space/Residential/Agriculture	Vacant
East	R5 - One-family residential district Estate density	Vacant
West	R5 - One-family residential district Estate density	Vacant

Environmental Considerations:

As a result of the Initial Study or “IS”, a Negative Declaration was prepared by the City with a Notice of Intent, which was sent to the State Clearinghouse (SCH# 2018031072) and posted for 30 days for public From March 29, 2018 through April 28, 2018. The City received comments during the review period from the Lahontan Regional Water Quality Control Board (“LRWQCB”), California Department of Fish and Wildlife (“CDFW”), & California Department of Transportation (“Caltrans”). The comments are included as **ATTACHMENT 4**. The project proponent is expected to address all comments received prior to obtaining Council Approval. The City Council will take into consideration any and all received comments before taking action on the proposed amendments and environmental determinations considered in Ordinance No._____.

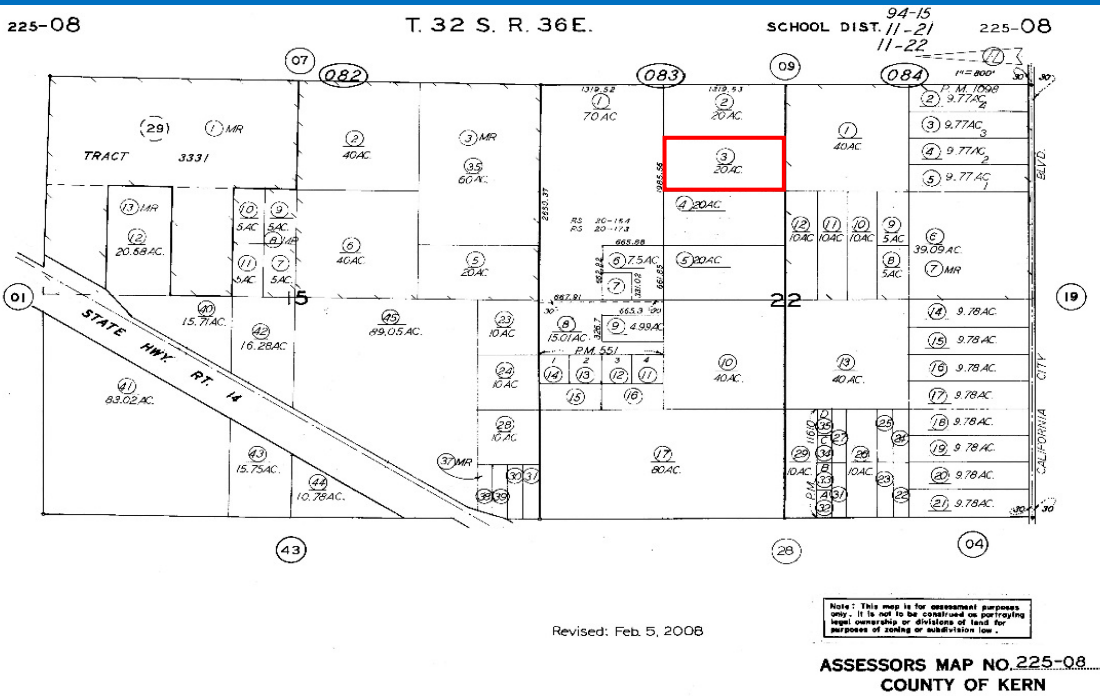
The Initial Study Checklist (**ATTACHMENT 3**) for the General Plan Amendment, Zone Change, Zone Map Amendment, shows that this project would **not** result in potentially significant impacts to the environment.

Figure 2 & 3 in the next page identify the proposed “project” in an aerial setting with the Assessor’s Parcel map.

Figure 2- Aerial Photo | ZC 18-01 / GPA 18-01



Figure 3- APN MAP | ZC 18-01 / GPA 18-01

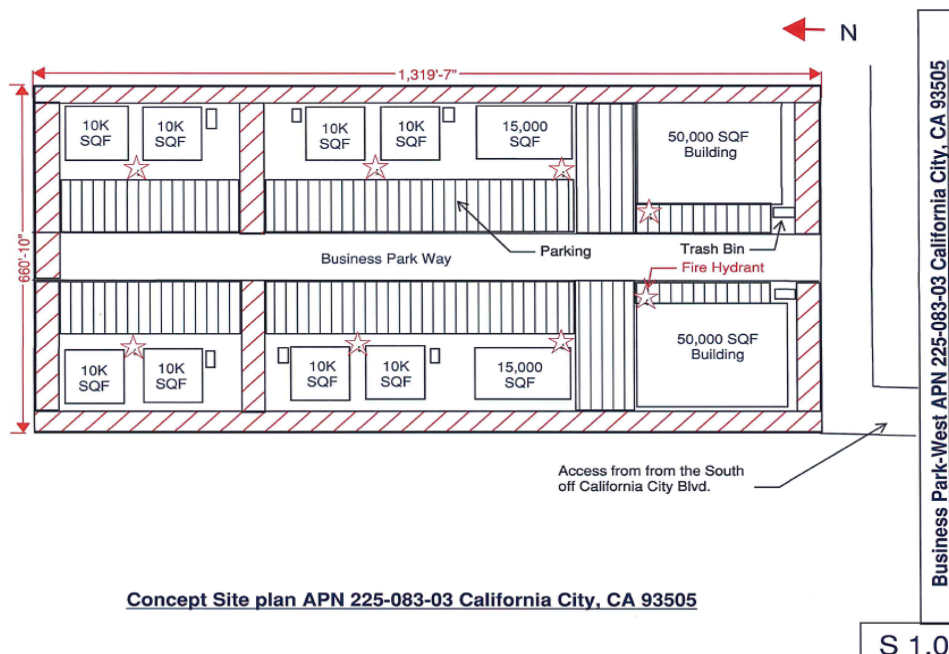


Project Description:

Devery Grimshaw, REMAX/ Clearview & Michael. J. Meister, LoCam LLC (the “Applicant”) are requesting a general plan amendment (General Plan and Zoning Map) from R5 - Estate Density Residential to M-1 Light Industrial for the purpose of creating a 20 acre Industrial business park with a potential for cannabis cultivation, solar power generation, storage facilities or similarly structured industries. While the applicant has not committed to a specific development proposal of the land, conceptual site plans, (please see *Figure 4*) have been submitted. The operational Statement provided by the applicant is attached as **ATTACHMENT 5**.

Figure 4 is a conceptual site plan describing the intended proposal for an Industrial Park. The applicant envisions 210,000 sq.ft. of Industrial space per Site Plan for future Industrial use.

Figure 4 – Conceptual Site Plan for ZC 18-01



DISCUSSION:

The proposed “project” is surrounded by three different zoning designations, M1- Light Industrial to the North, O/RA – Open Space Residential or Agriculture to the South and R5 – Estate Density Residential to the East and West. All surrounding parcels are currently vacant. The proposed project would establish consistency to the adjacent Industrial Zone and enhance quality of life for residents in the immediate vicinity by creating economic opportunities not only within the City but also surrounding areas due to the proximity to State Highway 14.

The California City Final General Plan 2009-2028 describes the intent of M1 - Light Industrial Research Zone to be as follows: “*land development for restricted, non-intensive manufacturing, processing and storage activities which do not have the potential for detrimental impacts on surrounding properties. This land use designation also includes uses such as research/office park developments in conjunction with light industrial use where such locations are compatible with adjacent residential lands (Establish M1- Zoning consistency)*”

The O/RA Zone District is limited with regard to the extent of urbanization that may occur. The purpose of the Open Space, (“O”) Zone District is to provide for the preservation and conservation of unique natural resource lands, protection and preservation of unique wildlife resources and habitats, protection against flooding by storm water in flood prone areas and

the establishment of active and passive recreational uses. The Residential/Agricultural ("RA") District provides living area which combines the advantages of urban and rural location by limiting development to very low density one-family dwellings and permitting animals and fowl to be kept for pleasure or hobbies. The R5 – One-family residential district – Estate Density is established to implement density standards of the General Plan.

The intent of Ordinance No _____ is to amend the General Plan and Zoning map to enable the proposed Zone Change 18-01 to be developed as M-1 Light Industrial Zone with relevant development standards. This specific parcel demonstrates compatibility to surrounding uses since it is bound by M1 on the Northern boundary and could potentially create an industrial zone to serve the residential districts in the vicinity.

On May 5, 2018 a Notice of Intent to consider this a Negative Declaration, Zone Change and General Plan Amendment was published in the *Antelope Valley Press*. Further, property owners owning land within 300' of the project site received a notice of this public hearing.

Attachments:

- 1) *Draft Planning Commission Resolution*
- 2) *Biological Resources Assessment*
- 3) *Initial Study and Negative Declaration*
- 4) *Comment Letters*
- 5) *Operational Statement*

ATTACHMENT 1

PLANNING COMMISSION RESOLUTION NO. PC-05-15 ZC 18-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALIFORNIA CITY RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF CALIFORNIA CITY TAKE THE FOLLOWING ACTIONS: (1) ADOPT OF INITIAL STUDY & NEGATIVE DECLARATION; (2) ADOPT GENERAL PLAN AMENDMENT GP- 18-01 TO CHANGE THE GENERAL PLAN DESIGNATION FOR 20 ACRE PARCEL LOCATED APPROXIMATELY 4.5 MILES EAST OF STATE HIGHWAY 14 AND 1 MILE NORTH OF CALIFORNIA CITY BOULEVARD FROM ESTATE DENSITY RESIDENTIAL (R5) TO LIGHT INDUSTRIAL ZONE (M1); (3) ADOPT ZONE CHANGE NO. 18-01

THE PLANNING COMMISSION OF THE CITY OF CALIFORNIA CITY HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City Council of the City of CALIFORNIA CITY adopted the 2015-2035 General Plan on June 21, 2016;

WHEREAS, California Government Code Section 65358(a) authorizes the City Council to amend the General Plan if it deemed to be in the public interest;

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of the City of CALIFORNIA CITY;

WHEREAS, by its very nature, the General Plan is subject to update and revision to account for current and future community needs;

WHEREAS, an application was filed by **Devery Grimshaw**, Clearview/REMAX, on behalf of co-owner **Michael. J. Meister**, LoCam LLC requesting approval of the following:

- 1. Initial Study/Mitigated Negative Declaration (IS/MND).** Certification of the Initial Study - Negative Declaration (IS-ND) for the project.
- 2. General Plan Amendment GP-18-01.** Change the land use designation from R5 - One Family Residential District Estate Density to M1 – Light Industrial & Research to allow for an Industrial Business Park with a potential for cannabis cultivation, solar power generation, storage facilitates or similarly structured industries.
- 3. Rezone ZC 18-01.** A rezone to change the zoning classification from R5 – One Family Residential District Estate Density to M1 – Light Industrial & Research.

SECTION 1. FACTS:

The Planning Commission finds, determines and declares:

1. A duly-noticed public hearing has been conducted to consider the matter;
2. Resolution No PC-05-15 ZC 18-01 will be forwarded to the City Council for their consideration;
3. This amendment will not result in any significant adverse environmental impacts;
4. This amendment will promote the welfare of the community;
5. This amendment is consistent with the general plan and the City's zoning ordinance.

6. A change in district boundaries shall not be made conditionally. The Planning Commission shall make its decision and adopt findings within forty-five (45) days following the completion of the public hearing. The Commission shall transmit its decision to the City Council.

SECTION 2. FINDINGS:

- A. Finding:** The cumulative effect of all the planning applications have been considered.

Facts in Support of Findings: The cumulative effects of General Plan Amendment GP-18-01, Zone Change ZC -18-01 have all been considered. The project required the preparation of an Initial Study/Negative Declaration, which discovered no impact due to the Zone Change alone. As a result, the IS/ND does not provide mitigation measures.

- B. Finding:** The use is consistent with the General Plan.

Facts in Support of Findings: The project proposes a Zone Change to M1- Light Industrial consistent with parcel located to the Northern side, therefore establishing continuity deviating from a spot zoning scenario. The California City Final General Plan 2009-2028 describes the intent of M1 - Light Industrial Research Zone to be as follows: *“land development for restricted, non-intensive manufacturing, processing and storage activities which do not have the potential for detrimental impacts on surrounding properties. This land use designation also includes uses such as research/office park developments in conjunction with light industrial use where such locations are compatible with adjacent residential lands (Establish M1- Zoning consistency)”* The proposed project aids in establishing consistency to the neighboring uses and providing a diverse quality of life and employment opportunities in the City, Therefore, the proposed project is consistent with the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of California City does hereby approve the Initial Study, Negative Declaration, and Zone Change 18-01 & General Plan Amendment GPA 18-01 for the vacant 20 acre parcel located approximately 4.5 north of California City Boulevard and 0.9 miles east of California State Route Highway 14 bearing Assessor’s Parcel Number or APN: 225-083-03 in Section 22, Township 32, Range 36, Latitude 35.1346, Longitude -118.0961 in the City of California City, County of Kern, CA 93505.

I HEREBY CERTIFY that the foregoing resolution was duly passed and adopted by the Planning Commission on the 15th day of May, 2018

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairman

ATTEST:

Recording Secretary

ATTACHMENT 2

Biological Resource Assessment of
APN 225-083-03
California City, California

March 6, 2018

Mark Hagan, Wildlife Biologist
44715 17th Street East
Lancaster, CA 93535
(661) 723-0086
(661) 433-9956 (M)

B.S. Degree, Wildlife Management
Humboldt State University

Biological Resource Assessment of APN 225-083-03, California City, California

Mark Hagan, Wildlife Biologist, 44715 17th Street East, Lancaster, CA 93535

Abstract

Development has been proposed for APN 225-083-03, California City, California. The approximately 20 acre (8 ha) study area was located north of California City Boulevard and west of the Southern Pacific railroad tracks, T32S, R36E, the W1/2 of the SE1/4 of the NE1/4 of Section 22, M.D.B.M. A line transect survey was conducted on 5 March 2018 to inventory biological resources. The proposed project area was characteristic of a creosote bush (*Larrea tridentata*) scrub plant community. A total of twenty-one plant species and fifteen wildlife species or their sign were observed during the line transect survey. No desert tortoises (*Gopherus agassizii*) or their sign were observed within the study area. Suitable desert tortoise habitat appeared to be present within and adjacent to the study site. No Mohave ground squirrels (*Xerospermophilus mohavensis*) were observed or audibly detected during the field survey. The habitat within the study area did not appear suitable to support Mohave ground squirrels. No burrowing owls (*Athene cunicularia*) or their sign were observed within the study area. No sensitive plants, specifically, alkali mariposa lily (*Calochortus striatus*), desert cymopterus (*Cymopterus deserticola*), and Barstow woolly sunflower (*Eriophyllum mohavense*) are expected to occur within the study area due to lack of suitable habitat. A few of the Joshua trees (*Yucca brevifolia*) and thorn bushes within the study area offer potential nesting sites for migratory birds. Prairie falcons (*Falco mexicanus*) and other raptors may fly over the site but there are no nesting or roosting opportunities available within the study site. No other state or federally listed species are expected to occur within the proposed project area. No blue line streams were found on the USGS topographic map. No ephemeral washes or streams were observed within the study site.

Recommended Protection Measures:

The proposed project area was located within the geographic range of the desert tortoise. Although desert tortoises are not expected to be present the following desert tortoise protection measures will be implemented:

All personnel will receive an education program. Videos, brochures, books, and briefings may be used in the educational program. The education program will provide information on the natural history of the desert tortoise, its status, and protection measures to be followed during construction.

A qualified biological monitor will be present during construction activities until pre-construction surveys have demonstrated that desert tortoises are not present within the project area and a fence to exclude their entry into the site has been constructed.

Construction areas will be clearly fenced, flagged, or marked to delineate the outer boundaries and define the limit of work activities prior to the initiation of work. Construction areas include parking and equipment staging areas.

Preconstruction surveys will be conducted in work areas. Preconstruction surveys will be conducted by qualified biologists. If any desert tortoises are found during preconstruction surveys or during construction; all work will cease until the desert tortoise leaves the area of its own volition or appropriate permits are obtained to relocate the animal.

All workers will inspect underneath parked vehicles prior to operating them. If a desert tortoise is found beneath a parked vehicle, the vehicle will be left parked until the desert tortoise leaves of its own volition to a safe location.

Construction activities between dusk and dawn will not be permitted in areas supporting native vegetation.

At the end of each work day, all open excavations will be backfilled or otherwise altered to prevent desert tortoise from being trapped in them. While excavations remain open, a biological monitor will check for trapped desert tortoises and other wildlife at least three times each day.

All trash and food items will be promptly contained and regularly removed from work areas to reduce the attraction of common ravens (*Corvus corax*) and other desert tortoise predators to the area.

If possible, removal of vegetation will occur outside the breeding season for migratory birds. Nesting generally lasts from February to July but may extend beyond this time frame. If vegetation removal will occur during or close to the nesting season, a qualified biologist will survey all areas to be disturbed as close as possible but no more than one week prior to disturbance. If active bird nests are found, impacts to nests will be avoided by either delaying work or establishing initial buffer areas of a minimum 50 feet (16 m) around active migratory bird species nests. The project biologist will determine if the buffer areas should be increased or decreased based on the nesting bird response to disturbances.

Significance: This project is not expected to result in a significant adverse impact to biological resources.

Development has been proposed for APN 225-083-03, California City, California (Figure 1). Development would include installation of access roads, utilities (water, sewer, electric, gas), parking areas, etc. The entire area would likely be graded prior to construction activities.

An environmental analysis should be conducted prior to any development project. An assessment of biological resources is an integral part of environmental analyses (Gilbert and Dodds 1987). The purpose of this study was to provide an assessment of biological resources potentially occurring within, or utilizing the proposed project area. Specific focus was on the presence/absence of rare, threatened and endangered species of plants and wildlife. Species of concern included the desert tortoise (*Gopherus agassizii*), Mohave ground squirrel (*Xerospermophilus mohavensis*), burrowing owl (*Athene cunicularia*), desert kit fox (*Vulpes macrotis*), prairie falcon (*Falco mexicanus*), desert cymopterus (*Cymopterus deserticola*), Barstow woolly sunflower (*Eriophyllum mohavense*), and alkali mariposa lily (*Calochortus striatus*).

Figure 1. Approximate location of proposed project area as depicted on APN map.

Study Area

The approximately 20 acre (8 ha) study area was located north of California City Boulevard and west of the Southern Pacific railroad tracks, T32S, R36E, the W1/2 of the SE1/4 of the NE1/4 of Section 22, M.D.B.M. (Figures 2 and 3). Creosote bush scrub (*Larrea tridentata*) habitat was present north, south, east, and west of the study area. Topography of the study area was approximately 2,700 feet (871 m) above sea level.

Methods

A line transect survey was conducted to inventory plant and wildlife species occurring within the proposed project area (Cooperrider et al. 1986, Davis 1990). Line transects were walked in a north-south orientation. Line transects were approximately 1,320 feet (426 m) long and spaced about 35 feet (11 m) apart (U.S. Fish & Wildlife Service 2010).

All observations of plant and animal species were recorded in field notes. Field guides were used to aid in the identification of plant and animal species (Arnett and Jacques 1981, Borror and White 1970, Burt and Grossenheider 1976, Gould 1981, Jaeger 1969, Knobel 1980, Robbins et al. 1983, Stark 2000). Observations were aided with the use of 10x50 and 10x42 binoculars. Observations of animal tracks, scat, and burrows were also utilized to determine the presence of wildlife species inhabiting the proposed project area (Cooperrider et al. 1986, Halfpenny 1986, Lowrey 2006, Murie 1974). Aerial photographs, California Natural Diversity Database (Sanborn and Mojave NE), and the USGS topographic maps were reviewed. Photographs were taken of the study site (Figure 4).

Results

A total of 16 line transects were walked on 5 March 2018. Weather conditions consisted of moderate temperatures (estimated 55 to 60 degrees F), 0% cloud cover, and moderate to high winds. Sandy loam surface soil texture was observed throughout the study area. No blue line streams were found on the USGS topographic maps. No ephemeral washes or streams were observed within the study site.

The proposed project area was characteristic of a creosote bush scrub habitat (Barbour and Major 1988). A total of twenty-one plant species were observed during the line transect survey (Table 1). The dominant shrub species throughout the study area was creosote bush scrub. *Schismus* (*Schismus* sp.) was the dominant annual species throughout the study area. No alkali mariposa lilies, Barstow woolly sunflowers, desert cymopterus, or suitable habitat, for these plant species were observed within the study site.

A total of fifteen wildlife species, or their sign were observed during the line transect survey (Table 2). No desert tortoises or their sign were observed within the study area. No Mohave ground squirrels were observed or audibly detected during the field survey. No burrowing owls or their sign were observed within the study area. No desert kit fox or their sign were observed within the study site.

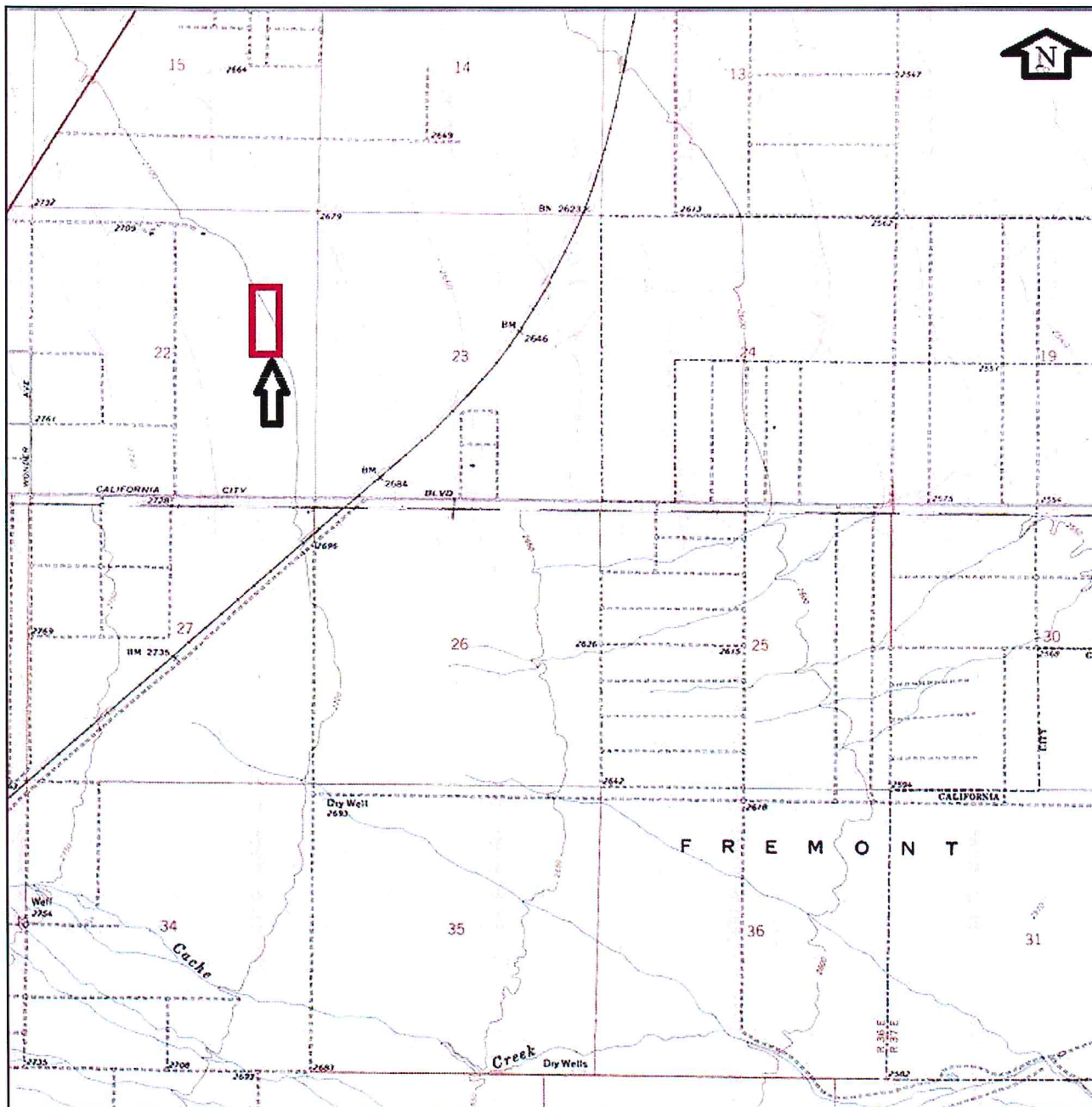


Figure 2. Approximate location of study area as depicted on excerpts from USGS Quadrangles, Mojave NE, Calif, 7.5', 1994 and Sanborn, Calif, 7.5', 1994.



Figure 3. Aerial photograph showing surrounding land use, Google Earth, dated 2015.

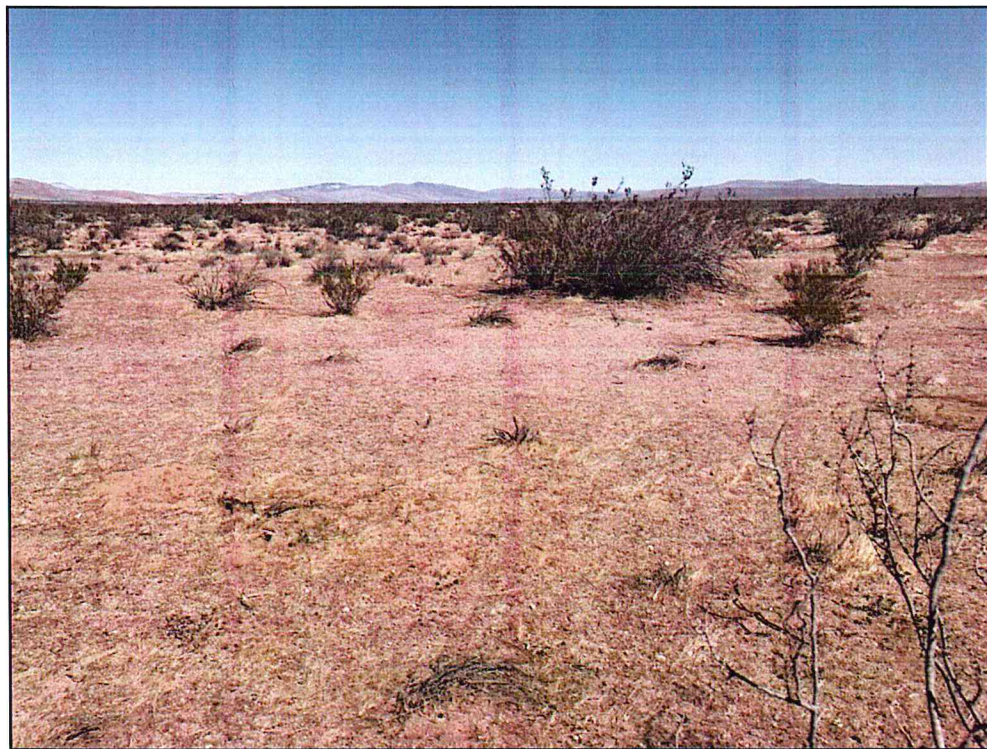


Figure 4. Photographs depicting the general habitat of the study site.

Table 1. List of plant species that were observed during the line transect survey of APN 225-083-03, California City, California.

<u>Common Name</u>	<u>Scientific Name</u>
Joshua tree	<i>Yucca brevifolia</i>
Creosote bush	<i>Larrea tridentata</i>
Burrobush	<i>Ambrosia dumosa</i>
Anderson thorn	<i>Lycium andersonii</i>
Peachthorn	<i>Lycium cooperi</i>
Cotton thorn	<i>Tetradymia spinosa</i>
Silver cholla	<i>Opuntia echinocarpa</i>
Cheesebush	<i>Hymenoclea salsola</i>
Goldenhead	<i>Acamptopappus sphaerocephalus</i>
Turkey mullein	<i>Eremocarpus setigerus</i>
Lacy phacelia	<i>Phacelia tanacetifolia</i>
Comet blazing star	<i>Mentzelia albicaulis</i>
Gilia	<i>Gilia minutiflora</i>
Spotted buckwheat	<i>Eriogonum maculatum</i>
Fiddleneck	<i>Amsinckia tessellata</i>
Red stemmed filaree	<i>Erodium cicutarium</i>
Mustard sp.	Brassicaceae
California mustard	<i>Caulanthus lasiophyllus</i>
Cheatgrass	<i>Bromus tectorum</i>
Schismus	<i>Schismus</i> sp.
Annual burweed	<i>Franseria acanthicarpa</i>

Table 2. List of wildlife species, or their sign, that were observed during the line transect survey of APN 225-083-03, California City, California.

<u>Common Name</u>	<u>Scientific Name</u>
Rodents	Order: Rodentia
Pocket gopher	<i>Thomomys bottae</i>
Kangaroo rat	<i>Dipodomys</i> sp.
Desert cottontail	<i>Sylvilagus auduboni</i>
Black-tailed jackrabbit	<i>Lepus californicus</i>
Sheep	<i>Ovis</i> sp.
Domestic goat	<i>Capra hircus</i>
Common raven	<i>Corvus corax</i>
Sage sparrow	<i>Amphispiza belli</i>
White crowned sparrow	<i>Zonotrichia leucophrys</i>
Bee	Order: Hymenoptera
Darkling beetle	<i>Coelocnemis californicus</i>
Spider sp.	Order: Araneida
Harvester ants	Order: Hymenoptera
Fly	Order: Diptera

Tire tracks were observed within the study area. Sheep (*Ovis* sp.) grazing sign was observed within the study area. Metal posts delineated the northern boundary of the study site.

Discussion

It is probable that some annual species were not visible during the time the field survey was performed. Based on the habitat, no sensitive plant species are expected to exist on the study site. Although not observed, several wildlife species would be expected to occur within the proposed project area (Table 3).

Burrowing animals within the proposed project area are not expected to survive construction activities. More mobile species, such as lagomorphs (rabbits and hares), coyotes (*Canis latrans*), and birds are expected to survive construction activities. Development of this site will result in less cover and foraging opportunities for species occurring within and adjacent to the study area.

The desert tortoise is a state and federal listed threatened species. The proposed project area was located within the geographic range of the desert tortoise. The proposed project site was not located in critical habitat designated for the Mojave population of the desert tortoise. No desert tortoises or their sign were observed within the study area. Desert tortoises are not expected to be present within the study area.

Burrowing owls are considered a species of special concern by the California Department of Fish and Wildlife (CDFW). No burrowing owls or their sign were observed within the study area. No potential cover sites for burrowing owl were observed within the study area.

Many species of birds and their active nests are protected under the Migratory Bird Treaty Act. A few of the Joshua trees (*Yucca brevifolia*) and thorn bushes within the study area offer potential nesting sites for migratory nesting birds. Prairie falcons and other raptors may fly over the site but would not be expected to nest within the study area due to a lack of suitable nesting habitat.

The Mohave ground squirrel (MGS) is a state listed threatened species. The proposed project site was located within the geographic range of the MGS. Cover and forage for MGS appeared to be limited within and around the study site. The farthest documented movement of MGS is 3.9 miles (Harris and Leitner 2005). The closest documented MGS to the study area was 3.9 miles sighted in 1998 (California Natural Diversity Database, 2015). This sighting was prior to construction of the Highway 58 bypass which created a barrier to movement making immigration into the study area unlikely when considering it with the following factors. No winterfat (*Eurotia lanata*), or spiny hopsage (*Grayia spinosa*) were found on the study site. These two species are considered important forage for MGS. Dr. Leitner (2008) determined that combined densities of winterfat and spiny hopsage greater than 250 to 300 per ha (2.5 acres) are associated with occupancy of MGS. Dr. Leitner postulated based on trapping surveys in the southern portion of the MGS range that densities < 24/ha of spiny hopsage and < 100/ha of winterfat on a site was considered poor forage and may be related to the absence of MGS. No streams or washes were noted on the study site. Absence of this habitat feature further lessens the likelihood of MGS presence on the study site or their ability to persist during long term drought conditions (Logan 2016). Sheep grazing appears to be having a significant

Table 3. List of wildlife species that may occur within the study area, APN 225-083-03, California City, California.

<u>Common Name</u>	<u>Scientific Name</u>
Deer mouse	<i>Peromyscus maniculatus</i>
Merriam kangaroo rat	<i>Dipodomys merriami</i>
Coyote	<i>Canis latrans</i>
Mourning dove	<i>Zenaida macroura</i>
Northern mockingbird	<i>Mimus polyglottos</i>
Horned lark	<i>Eremophila alpestris</i>
House finch	<i>Carpodacus mexicanus</i>
Side blotched lizard	<i>Uta stansburiana</i>
Western whiptail	<i>Cnemidophorus tigris</i>
Mojave rattlesnake	<i>Crotalus scutulatus</i>
Gopher snake	<i>Pituophis melanoleucus</i>
Grasshopper	Order: Orthoptera
Butterfly, white	Order: Lepidoptera
Painted lady butterfly	Order: Lepidoptera
Ladybird beetle	<i>Hippodamia convergens</i>
Beetle, fuzzy, black	<i>Edrotes ventricosus</i>
Spider sp.	Order: Araneida
Dragonfly	Order: Odonata
Moth	Order: Lepidoptera

impact on habitat structure and diversity. The continual sheep grazing in desert habitat may be impacting the sustainability of MGS particularly during consecutive low rainfall years. No wildlife corridors are expected to exist between the closest core MGS population and the project site. The Little Dixie Wash, postulated by Dr. Leitner (2008) to be one of four core areas for MGS is located approximately 30 miles (48 km) to the northeast and the Desert Tortoise Natural Area, a recognized MGS population area, is located approximately 9 miles (14 km) to the east. Neither population area is considered to have immigration into this project site or the lands adjacent to the site. MGS reproduction appears to be tied to adequate rainfall and forage. In low rainfall years (e.g., less than 6.5 cm [2.6 in.]), they may forego breeding (MGSWG 2011), and breeding may not occur for several years during prolonged drought (Best 1995). Because of the small geographic range of the species, low rainfall can lead to reproductive failure throughout the range (MGSWG 2011, Dudek, 2012). Given the short life span of MGS, approximately 5 to 7 years, if too many years pass with less than 2.6 inches of rainfall this reproductive strategy may cause the extirpation of local populations. Rainfall measured over the last 7 years at Edwards AFB, the closest rainfall station registering data, was 2012: 1.5", 2013: 1.16", 2014: 1.75", 2015: 0.30", 2016: 1.63", 2017: 2.51", and 2018 to date: 0.51" (Armstrong Flight Research 2018). Mohave ground squirrels are not expected to be present within the study area. No protection measures for MGS are recommended.

No suitable habitat for alkali mariposa lily, Barstow woolly sunflower or desert cymopterus was observed within the study site. Based on the results of the field survey these species are not expected to occur within the study area and no protection measures are recommended. No other state or federally listed species are expected to occur within the proposed project area (California Department of Fish and Wildlife 2015, Smith and Berg 1988, U.S. Fish & Wildlife Service 2016).

Landscape design should incorporate the use of native plants to the maximum extent feasible. Native plants that have food and cover value to wildlife should be used in landscape design (Adams and Dove 1989). Diversity of native plants should be maximized in landscape design (Adams and Dove 1989).

Recommended Protection Measures:

The proposed project area was located within the geographic range of the desert tortoise. Although desert tortoises are not expected to be present the following desert tortoise protection measures will be implemented:

All personnel will receive an education program. Videos, brochures, books, and briefings may be used in the educational program. The education program will provide information on the natural history of the desert tortoise, its status, and protection measures to be followed during construction.

A qualified biological monitor will be present during construction activities until pre-construction surveys have demonstrated that desert tortoises are not present within the project area and a fence to exclude their entry into the site has been constructed.

Construction areas will be clearly fenced, flagged, or marked to delineate the outer boundaries and define the limit of work activities prior to the initiation of work. Construction areas include parking and equipment staging areas.

Preconstruction surveys will be conducted in work areas. Preconstruction surveys will be conducted by qualified biologists. If any desert tortoises are found during preconstruction surveys or during construction; all work will cease until the desert tortoise leaves the area of its own volition or appropriate permits are obtained to relocate the animal.

All workers will inspect underneath parked vehicles prior to operating them. If a desert tortoise is found beneath a parked vehicle, the vehicle will be left parked until the desert tortoise leaves of its own volition to a safe location.

Construction activities between dusk and dawn will not be permitted in areas supporting native vegetation.

At the end of each work day, all open excavations will be backfilled or otherwise altered to prevent desert tortoise from being trapped in them. While excavations remain open, a biological monitor will check for trapped desert tortoises and other wildlife at least three times each day.

All trash and food items will be promptly contained and regularly removed from work areas to reduce the attraction of common ravens (*Corvus corax*) and other desert tortoise predators to the area.

If possible, removal of vegetation will occur outside the breeding season for migratory birds. Nesting generally lasts from February to July but may extend beyond this time frame. If vegetation removal will occur during or close to the nesting season, a qualified biologist will survey all areas to be disturbed as close as possible but no more than one week prior to disturbance. If active bird nests are found, impacts to nests will be avoided by either delaying work or establishing initial buffer areas of a minimum 50 feet (16 m) around active migratory bird species nests. The project biologist will determine if the buffer areas should be increased or decreased based on the nesting bird response to disturbances.

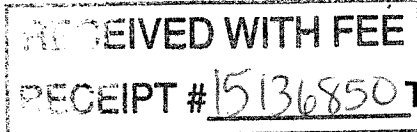
Significance: This project is not expected to result in a significant adverse impact to biological resources.

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CEQA

Transmittal Memorandum

FILED
KERN COUNTY9
MAR 20 2018MARY B. BEDARD
AUDITOR-CONTROLLER-COUNTY CLERK
BY 12 DEPUTY

Attach one transmittal memorandum to the front of the original CEQA document. Clip copies in back.

- If notice requires F&W receipt, you must provide a minimum of 3 copies of the document.
- If notice does not require F&W receipt, you must provide a minimum of 2 copies of the document.

TYPE OR PRINT CLEARLY

LEAD AGENCY City of California CityPROJECT TITLE Initial Study, Negative Declaration, and General Plan Amendment 18-01PROJECT APPLICANT Devery GrimshawPHONE NUMBER 760-559-5943PROJECT APPLICANT ADDRESS 8100 California City Blvd.CITY California City STATE CA ZIP CODE 93505WORK ORDER # _____ ☒ 30-Day Posting ☐ 35-Day Posting ☐ 45-Day PostingCONTACT PERSON Anu Doravari PHONE NUMBER 760-373-7141

CHECK DOCUMENT BEING FILED:

☐ Notice of Availability No Fee☐ Notice of Intent No Fee☐ Notice of Preparation No Fee☐ Notice of Public Hearing No Fee☐ Other No Fee☐ Environmental Impact Report (EIR) \$3168.00☐ Previously paid (must attach receipt) Receipt Number # _____☐ DFG No Effect Determination (F&W letter must be attached) No Fee☐ County Administrative Fee \$50.00☒ Mitigated Negative Declaration or Negative Declaration \$2280.75☐ Previously paid (must attach receipt) Receipt Number # _____☐ DFG No Effect Determination (F&W letter must be attached) No Fee☒ County Administrative Fee \$50.00☐ Notice of Exemption No Fee☐ County Administrative Fee \$50.00TOTAL \$ 2,330.75* Additional copies to be returned to: 21000 Hacienda Blvd.* Method of return: ☐ Hold for pick-up/Call # _____☐ Interoffice Mail

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

☒ Cash/Money Order ☐ JV - Dept _____ Fund _____ Expense Key _____☐ Check☐ Credit CardNotice of Environmental Document
Posted by County Clerk on 3/29/18
and for 30 days thereafter, Pursuant to
Section 21152(C), Public Resources Code

10160

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Initial Study, Negative Declaration, and General Plan Amendment 18-01

Lead Agency: City of California City

Contact Person: Anu Doravari

Mailing Address: 21000 Hacienda Blvd.

Phone: 760-373-7141

City: California City

Zip: 93505

County: Kern

Project Location: County: Kern City/Nearest Community: California City

Cross Streets: Zip Code:

Longitude/Latitude (degrees, minutes and seconds): 35 ° 13 ' 46 " N / -118 ° 09 ' 61 " W Total Acres: 20

Assessor's Parcel No.: 225-083-03 Section: 22 Twp.: 32 Range: 36 Base: M.D.B&M

Within 2 Miles: State Hwy #: 14 Waterways: No

Airports: No Railways: No Schools: No

Document Type:

CEQA: ☐ NOP ☐ Draft EIR NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☒ Neg Dec (Prior SCH No.) ☐ Draft EIS ☐ Other:
☐ Mit Neg Dec Other:

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☒ Rezone ☐ Annexation
☒ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other:

Development Type:

☐ Residential: Units Acres ☐ Transportation: Type
☐ Office: Sq.ft. Acres Employees ☐ Mining: Mineral
☐ Commercial: Sq.ft. Acres Employees ☐ Power: Type MW
☒ Industrial: Sq.ft. Acres 20 Employees ☐ Waste Treatment: Type MGD
☐ Educational: ☐ Hazardous Waste: Type
☐ Recreational: ☐ Other:
☐ Water Facilities: Type MGD

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☐ Fiscal ☒ Recreation/Parks ☐ Vegetation
☒ Agricultural Land ☐ Flood Plain/Flooding ☐ Schools/Universities ☒ Water Quality
☒ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☒ Archeological/Historical ☐ Geologic/Seismic ☐ Sewer Capacity ☐ Wetland/Riparian
☒ Biological Resources ☒ Minerals ☐ Soil Erosion/Compaction/Grading ☐ Growth Inducement
☐ Coastal Zone ☒ Noise ☐ Solid Waste ☐ Land Use
☐ Drainage/Absorption ☒ Population/Housing Balance ☒ Toxic/Hazardous ☐ Cumulative Effects
☐ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☐ Other:

Present Land Use/Zoning/General Plan Designation:

R5 - Estate Density Residential

Project Description: (please use a separate page if necessary)

This project proposes to rezone 20 acres of vacant land to M1 Light Industrial for the purpose of medical cannabis cultivation.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

☐ Air Resources Board
☐ Boating & Waterways, Department of
☐ California Emergency Management Agency
☐ California Highway Patrol
☒ Caltrans District #9
☐ Caltrans Division of Aeronautics
☐ Caltrans Planning
☐ Central Valley Flood Protection Board
☐ Coachella Valley Mtns. Conservancy
☐ Coastal Commission
☐ Colorado River Board
☐ Conservation, Department of
☐ Corrections, Department of
☐ Delta Protection Commission
☐ Education, Department of
☐ Energy Commission
☒ Fish & Game Region #4
☐ Food & Agriculture, Department of
☐ Forestry and Fire Protection, Department of
☐ General Services, Department of
☐ Health Services, Department of
☐ Housing & Community Development
☐ Native American Heritage Commission

☐ Office of Historic Preservation
☐ Office of Public School Construction
☐ Parks & Recreation, Department of
☐ Pesticide Regulation, Department of
☐ Public Utilities Commission
☒ Regional WQCB #R6
☐ Resources Agency
☐ Resources Recycling and Recovery, Department of
☐ S.F. Bay Conservation & Development Comm.
☐ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
☐ San Joaquin River Conservancy
☐ Santa Monica Mtns. Conservancy
☐ State Lands Commission
☐ SWRCB: Clean Water Grants
☐ SWRCB: Water Quality
☐ SWRCB: Water Rights
☐ Tahoe Regional Planning Agency
☐ Toxic Substances Control, Department of
☐ Water Resources, Department of

Other: _____
Other: _____

Local Public Review Period (to be filled in by lead agency)

Starting Date 03/30/2018

Ending Date 04/29/2018

Lead Agency (Complete if applicable):

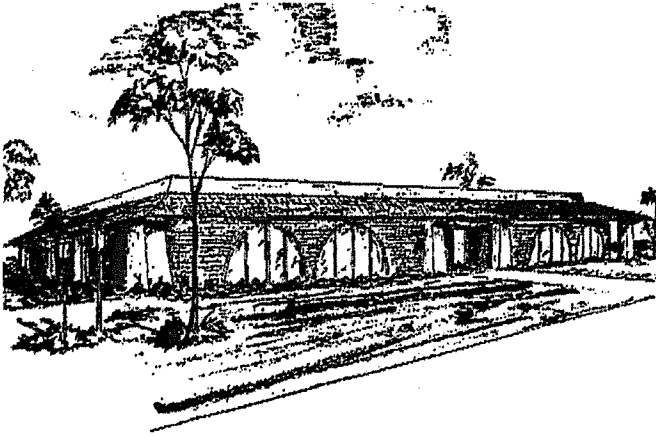
Consulting Firm: _____
Address: _____
City/State/Zip: _____
Contact: _____
Phone: _____

Applicant: Devery Grimshaw
Address: 8100 California City Blvd.
City/State/Zip: California City, CA. 93505
Phone: 760 - 559 - 5943

Signature of Lead Agency Representative: _____

Date: 3-27-2018

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



Incorporated 1965

City of California City

City Hall



PHONE (760) 373-8661

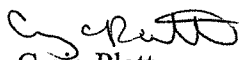
21000 HACIENDA BLVD. - CALIFORNIA CITY, CALIFORNIA 93505

**CITY OF CALIFORNIA CITY
NOTICE OF INTENT
TO ADOPT
NEGATIVE DECLARATION
FOR
ZONE CHANGE ZC 18-01**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Planning Commission in the Council Chambers at City Hall, 21000, Hacienda Boulevard, California City, CA 93505, to consider an application for Zone Change (ZC-18-01) and General Plan Amendment (GPA – 18-01) for Devery Grimshaw, 8100 California City Boulevard, California City, CA 93505. The applicant proposes to rezone approximately 20 acres of vacant desert land from R5 Estate Density Residential to M1 Light Industrial to accommodate medical cannabis cultivation. The 20 acre vacant land is located north of California City Boulevard and east of California State Route Highway 14 bearing Assessor's Parcel Number or APN: 225-083-03 in Section 22, Township 32, Range 36E, Latitude 35.1346, Longitude -118.0961 in the City of California City, County of Kern, CA 93505. According to the Biological Resources Survey provided by the applicant this project is not expected to result in a significant adverse impact to biological resources (Hagan, 2017). Planning and environmental documents for this project are available to the public at the California City Planning Division, 21000 Hacienda Blvd. or online at www.californiacity-ca.gov

MEETING DATE BY THE PLANNING COMMISSION FOR THIS PUBLIC HEARING: Tuesday, April 3, 2018, at 6:00 p.m. – Planning Commission Meeting

ANY PERSON WISHING TO BE HEARD on this matter may appear and speak at the Planning Commission meeting or may submit their comments in writing directly to the City either in person/mail or via email to planning2@californiacity-ca.gov


Craig Platt
Planning Director

March 20, 2018

APPENDIX G: ENVIRONMENTAL CHECKLIST FORM

NOTE: The following is a sample form and may be tailored to satisfy individual agencies' needs and project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

1. Project title: California City Business Park- West
2. Lead agency name and address:

3. Contact person and phone number: _____
4. Project location: APN 225-083-03 California City, CA 93505
5. Project sponsor's name and address:
Devery Grimshaw
8100 California City Blvd.
California City, CA 93505 PH: 760-559-5943
6. General plan designation: M-1/M-2 Industrial 7. Zoning: R5
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)
Develope 4 tilt up and steel buildings ranging in size from 10,000 SQF to 12,000 SQF
9. Surrounding land uses and setting: Briefly describe the project's surroundings:
Surrounding land use consist of Industrial & open residential vacant land
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
California City public works, building department and fire department
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun? N/A

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> <u>Tribal Cultural Resources</u> | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

 Signature

 Date

 Signature

 Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

- 9) The explanation of each issue should identify:
- a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

SAMPLE QUESTION

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>I. AESTHETICS.</u> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

II. AGRICULTURE AND FORESTRY

RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>IV. BIOLOGICAL RESOURCES:</u>				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>V. CULTURAL RESOURCES.</u> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>VI. GEOLOGY AND SOILS.</u> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>VII. GREENHOUSE GAS EMISSIONS.</u>				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>VIII. HAZARDS AND HAZARDOUS MATERIALS.</u>				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HYDROLOGY AND WATER QUALITY.

Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>X. LAND USE AND PLANNING.</u> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. NOISE -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>XIII. POPULATION AND HOUSING.</u> Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>XIV. PUBLIC SERVICES.</u>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>XV. RECREATION.</u>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. TRANSPORTATION/TRAFFIC. Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. Tribal Cultural Resources.

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XVIII. UTILITIES AND SERVICE SYSTEMS.

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(e), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2016

Authority: Public Resources Code sections 21083 and 21083.09

Reference: Public Resources Code sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3/21084.2 and 21084.3



State of California - Department of Fish and Wildlife
2018 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (Rev. 01/02/18) Previously DFG 753.5a

RECEIPT NUMBER:

15 — 03292018 — 15136850

STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

LEAD AGENCY EMAIL

DATE

3/29/2018

CITY OF CALIFORNIA CITY

DOCUMENT NUMBER

10160

COUNTY/STATE AGENCY OF FILING

Kern

PROJECT TITLE

INITIAL STUDY, NEGATIVE DECLARATION AND GPA 18-01

PROJECT APPLICANT NAME

PROJECT APPLICANT EMAIL

PHONE NUMBER

(760) 559-5943

DEVERY GRIMSHAW

PROJECT APPLICANT ADDRESS

CITY

STATE

ZIP CODE

CALIFORNIA CITY

CA

93305

8100 CALIFORNIA CITY BLVD

PROJECT APPLICANT (check appropriate box)

☐ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☒ Private Entity

CHECK APPLICABLE FEES:

- ☐ Environmental Impact Report (EIR)
☒ Mitigated/Negative Declaration (MND)(ND)
☐ Certified Regulatory Program document (CRP)

\$3,168.00	\$	
\$2,280.75	\$	2,280.75
\$1,077.00	\$	0.00

- ☐ Exempt from fee
☐ Notice of Exemption (attach)
☐ CDFW No Effect Determination (attach)
☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00 \$ 50.00

☒ County documentary handling fee

☐ Other

PAYMENT METHOD:

- ☐ Cash ☐ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ 2,330.75

SIGNATURE

X

V. Zuniga

AGENCY OF FILING PRINTED NAME AND TITLE

KERN COUNTY CLERK, V. ZUNIGA, CLERK SUPERVISOR



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

April 25, 2018

Anu Doravari
California City
21000 Hacienda Boulevard
California City, CA 93505-2293

Subject: Initial Study, Negative Declaration, and General Plan Amendment 18-01
SCH#: 2018031072

Dear Anu Doravari:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 24, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

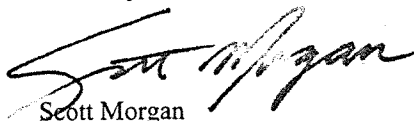
Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,


Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018031072
Project Title Initial Study, Negative Declaration, and General Plan Amendment 18-01
Lead Agency California City

Type Neg Negative Declaration
Description This project proposes to rezone 20 acres of vacant land to M1 Light Industrial for the purpose of medical cannabis cultivation.

Lead Agency Contact

Name	Anu Doravari		
Agency	California City		
Phone	(760) 373-7141	Fax	
email			
Address	21000 Hacienda Boulevard		
City	California City	State CA	Zip 93505-2293

Project Location

County	Kern			
City	California City			
Region				
Lat / Long	35° 13' 46" N / 118° 09' W			
Cross Streets				
Parcel No.	225-083-03			
Township	32	Range	36	Section 22
				Base mdbm

Proximity to:

Highways	14
Airports	
Railways	
Waterways	
Schools	
Land Use	R5 - Estate density res

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Toxic/Hazardous; Traffic/Circulation; Water Quality

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 4; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 9; Department of Food and Agriculture; Air Resources Board, Major Industrial Projects; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Bd., Region 6 (Victorville); Department of Toxic Substances Control; Native American Heritage Commission

Date Received 03/26/2018 **Start of Review** 03/26/2018 **End of Review** 04/24/2018



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Lahontan Regional Water Quality Control Board

April 4, 2018

Governor's Office of Planning & Research

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APR 04 2018

STATE CLEARINGHOUSE

Craig Platt
Planning Director
City of California City
21000 Hacienda Blvd.
California City, CA 93505
planning2@californiacity-ca.gov

Comments on Notice of Intent to Adopt a Negative Declaration for Zone Change ZC 18-01 for the California City Business Park - West, City of California City, Kern County Assessor Parcel Number 225-083-03

State Clearinghouse Number 2018031072

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received an Initial Study and proposed Mitigated Negative Declaration (IS/MND) for the above-referenced proposed Project (the Project) on March 26, 2018. The Project includes re-zoning 20 acres of vacant land from R5 Estate Density Residential to M1 Light Industrial for the purpose of medical cannabis cultivation. Four tilt-up and steel buildings will be constructed ranging in size from 10,000 to 12,000 square feet.

Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations (CCR), title 14, section 15096. We thank the City for providing Water Board staff the opportunity to provide early review and comment on the Project and for taking the initiative to develop the Project with considerations to potential effects on water quality.

Based on our review of the IS/MND, we recommend revising appropriate sections of the IS/MND to address the potential water quality concerns associated with the quality and quantity of industrial wastewater generated by the cannabis cultivation, and describe the specific mitigation measures to be imposed to reduce potential impacts to a less than significant level. We also recommend the Project description be revised to include sufficient detail of key project components, including site specific sediment and erosion control Best Management Practices (BMPs). Our comments on the Project are outlined below.

WATER BOARD'S AUTHORITY

All groundwater and surface waters are considered waters of the State. All waters of the State are protected under California law. State law assigns responsibility for protection of water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

2501 Lake Tahoe Blvd., So. Lake Tahoe, CA 96150 | 15095 Amargosa Road, Bldg 2, Ste 210, Victorville CA 92394
e-mail Lahontan@waterboards.ca.gov | website www.waterboards.ca.gov/lahontan

intends to apply treated water to the land surface (e.g., landscape irrigation), then the cultivator will need to separately apply for a recycling irrigation permit.

Request: Please identify the wastewater and/or recycled water sludge disposal method and ensure appropriate Water Board permits are obtained.

2. Solid waste disposal

The IS/MND does not identify how much solid waste will be generated, nor does it state how and where solid waste will be disposed. The IS/MND instead states generation of solid waste will not affect local landfill capacity.

Request: Please clarify where solid waste will be disposed, and estimate the quantity of waste to be disposed.

3. Sediment discharge

The IS/MND provides a brief overview of the Project, but provides little explanation to substantiate the findings that the Project will not have a significant effect on the environment, particularly on hydrology and water quality.

Request: The Project description should include sufficient detail of key project components, including a list of site specific sediment and erosion control BMPs as well as other mitigation measures intended to reduce potentially significant impacts to a less than significant level, so that Water Board staff reviewing the environmental document has adequate information to evaluate the Project's potential impacts to hydrology and water quality resources.

4. Stormwater conveyance

No details are provided regarding drainage design, including the design storm capacity. Because increased runoff from developed areas is a key variable driving a number of other adverse effects, attention to maintaining the pre-development hydrograph will prevent or minimize many problems and will limit the need for other analyses and mitigation.

Request: The IS/MND should be revised to include an adequate description of proposed and existing drainage facilities, and to describe the specific mitigation measures to reduce potential impacts to a less than significant level.

5. Groundwater beneficial use

The Project is located within the Koehn Hydrologic Area (Hydrologic Unit No. 625.40) of the Fremont Hydrologic Unit and overlies the Fremont Valley groundwater basin (Basin No. 6-46). The Fremont Valley groundwater basin has an in-development Salt Nutrient Management Plan, led by California City Department of Public Works, intended to facilitate consistent basin-wide management of salts and nutrients from all sources in a manner that optimizes recycled water use while ensuring protection of groundwater supply, beneficial uses, and human health.

10. Stormwater Permit

Depending on the Standard Industrial Classification (SIC) code for industrial-type activities at a specific site, individual projects may require an *NPDES General Industrial Storm Water Permit*, WQO-2014-0057-DWQ, obtained from the State Water Board, or individual Storm Water Permit obtained from the Lahontan Water Board.

11. Discharge to Land

Discharge of waste to land (i.e. evaporation ponds) may require WDRs issued by the Lahontan Water Board in compliance with the CCR, title 27, section 20005 et seq. If the Project includes wastes that can be characterized as either designated and/or non-hazardous, and a planned discharge to land would occur, the discharger will be required to submit the Report of Waste Discharge application, Form 200, to the Water Board. Cannabis cultivation wastewater, specifically, is considered industrial wastewater and discharge of industrial wastewater onsite is noncompliant with the State Water Board's Onsite Wastewater Treatment System Policy (located at https://www.waterboards.ca.gov/water_issues/programs/owts/).

We request that the IS/MND recognize the potential required permits for the Project, as outlined above, and identify the specific activities triggering these permitting actions in the appropriate sections of the environmental document. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>. We recommend early consultation with Lahontan Water Board staff regarding potential permitting.

Thank you for the opportunity to comment on the IS/MND. If you have any questions regarding this letter, please contact me at (530) 542-5434, or at (eric.taxer@waterboards.ca.gov). Please send all future correspondence regarding the Project to the Water Board's email address at (lahontan@waterboards.ca.gov).



Eric J. Taxer
Senior Water Resource Control Engineer

cc: State Clearinghouse (SCH 2018031072) (state.clearinghouse@opr.ca.gov)
California Department of Fish and Wildlife (reg4assistant@wildlife.ca.gov)

DEPARTMENT OF TRANSPORTATION

DISTRICT 9
500 SOUTH MAIN STREET
BISHOP, CA 93514
PHONE (760) 872-0785
FAX (760) 872-0678
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life.*

near 4/24/2018
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Governor's Office of Planning & Research

APR 11 2018

STATE CLEARINGHOUSE

April 11, 2018

Ms. Anu Doravari
California City Planning Department
21000 Hacienda Blvd.
California City, California 93505

File: KER-14-22.45
IS/ND
SCH #: 2018031072

Zone Change 18-01 - Initial Study, Negative Declaration, and General Plan Amendment for Medical Cannabis Cultivation

Dear Ms. Doravari:

Thank you for giving the California Department of Transportation (Caltrans) District 9 the opportunity to review the proposed zone change to allow Medical Cannabis Cultivation, east of State Route (SR) 14. We offer the following:

- We recommend that project access to SR 14 is taken via California City Boulevard, rather than the at-grade SR 14 intersection with Pesch Boulevard and Leiman Road.

We value our cooperative working relationship with California City on projects affecting the State Transportation System. Please contact me at (760) 872-0785, with any questions.

Sincerely,

A handwritten signature in cursive script, reading "Gayle J. Rosander".

GAYLE J. ROSANDER
External Project Liaison

c: State Clearinghouse
Mark Reistetter, Caltrans



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



April 24, 2018

Anu Doravari
City of California City
21000 Hacienda Blvd.
California City, California 93505

**Subject: General Plan Amendment 18-01, APN: 225-083-03 (Project)
Initial Study/Negative Declaration
SCH No. 2018031072**

The California Department of Fish and Wildlife (CDFW) received an Initial Study/Negative Declaration (IS/ND) from the City of California City for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects on the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State (Fish and Game Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & Game Code, § 2050 et seq.), related authorized as provided by the Fish and Game Code will be required.

In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

Protected Furbearing Mammals: CDFW has jurisdiction over furbearing mammals pursuant to Title 14, California Code of Regulations, Section 460. This Section states, "Fisher, marten, river otter, desert kit fox and red fox may not be taken at any time"; therefore, CDFW cannot authorize their take.

PROJECT DESCRIPTION SUMMARY

Proponent: California City

Objective: The Project proponent is seeking to rezone 20 acres of vacant desert land to M1-Light Industrial for the purpose of Medicinal Cannabis Cultivation.

Location: The Project will take place on one property located north of California City Boulevard, south of Pesch Boulevard, east of 15th Street, west of the railroad, APN 225-083-03 (20 acres); Township 32 South, Range 36 East, on a portion of Section 22, USGS 7.5 Minute Quad Map Mojave NE, M.D.B.M. (Project site).

Timeframe: Unspecified.

RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of California City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

I. Environmental Setting and Related Impact

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or the United States Fish and Wildlife Service (USFWS)?

Review of the California Natural Diversity Database (CNDDB) reveals records for several special-status species within the vicinity of the Project area including, but not limited to, State and federally threatened desert tortoise (*Gopherus agassizii*); the State threatened Mohave ground squirrel (*Xerospermophilus mohavensis*); the State Species of Special Concern burrowing owl (*Athene cunicularia*), American badger (*Taxidea taxus*), and Le Conte's thrasher (*Toxostoma lecontei*); and the State protected furbearing mammal desert kit fox (*Vulpes macrotis* ssp. *macrotis*) (CDFW 2018a). Review of aerial imagery indicates that the Project site is vacant desert habitat. The Project therefore has the potential to impact biological resources. An analysis of potential impacts and recommended mitigation measures summarized by species follows below.

Desert Tortoise

Issue: The Project site is within the range of desert tortoise and appears to contain suitable habitat based on aerial imagery (CDFW 2018a). Desert tortoise are most common in desert scrub, desert wash, and Joshua tree habitats (CDFW 2018b).

Specific impact: Potentially significant impacts that may result from Project-related activities include loss of foraging habitat, habitat degradation and fragmentation, burrow destruction, and direct mortality.

Evidence impact is potentially significant: Human impacts to desert tortoise include habitat conversion to agriculture and urban lands, degradation of habitat by off-highway vehicles (OHV), intentional killing of tortoises, and killing by cars and OHV (Doak et al. 1994). Habitat conversion to agriculture results in the loss of habitat and may lead to an increase in the predator raven population, drawdown of water table, introduction of pesticides and other toxic chemicals, and the potential introduction of invasive plants (Boarman 2002). Project activities may result in the loss of potential desert tortoise habitat through conversion, may increase habitat fragmentation, and expand urbanization into the area.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential Project-related impacts to desert tortoise, CDFW recommends conducting the following evaluation of the Project site and including the following measures in a CEQA document.

Desert tortoise surveys

CDFW recommends that a qualified biologist conduct surveys during the appropriate survey period following the protocol contained in "Preparing for any action that may occur within the range of the Mojave desert tortoise (*Gopherus agassizii*)" (USFWS 2010) to determine the potential for desert tortoise to use the Project site and surrounding area. Survey results are advised to be submitted to both CDFW and the USFWS. Please note that CDFW considers desert tortoise surveys valid for one year and CDFW recommends that surveys be conducted within a year of the start of ground-disturbing activities.

Desert Tortoise Take Authorization

If desert tortoise are found within the Project area during preconstruction surveys or construction activities, consultation with CDFW is advised to discuss how to implement the Project and avoid take; or if avoidance is not feasible, to acquire an Incidental Take Permit (ITP) prior to any ground-disturbing activities, pursuant Fish and Game Code § 2081(b).

Mohave ground squirrel (MGS)

Issue: Based on aerial imagery the Project site appears to contain suitable habitat for MGS and there are multiple MGS occurrences within 5 miles of the Project site (CDFW 2018a).

Specific impact: Without appropriate avoidance and minimization measure for MGS, potential significant impacts associated with the Project's construction include burrow collapse, inadvertent entrapment, reduced reproductive success, and mortality of individuals.

Evidence impact is potentially significant: Major threats to the MGS are drought, habitat destruction, habitat fragmentation, and habitat degradation (Gustafson 1993). MGS is restricted to a small geographic range and the greatest habitat loss has occurred near desert towns including California City (Gustafson 1993). Natural cycling is anticipated in MGS populations; therefore, the true indicators of the status of the species are the quantity, pattern of distribution, and quality of habitat (Gustafson 1993). Project activities may result in the loss of potential MGS habitat through conversion, may increase habitat fragmentation, and expand urbanization into the area.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential Project-related impacts to MGS, CDFW recommends conducting the following evaluation of the Project site and including the following measures in a CEQA document.

Mohave ground squirrel surveys

CDFW recommends that a qualified permitted biologist conduct protocol surveys for MGS following the methods described in the "Mohave Ground Squirrel Survey Guidelines" (CDFG 2003) during the appropriate survey season prior to Project implementation. Results of the MGS surveys are advised to be submitted to the CDFW. Please note that CDFW considers MGS surveys valid for one year and CDFW recommends surveys be conducted within a year of the start of ground-disturbing activities.

Mohave ground squirrel avoidance

In order to implement full avoidance for MGS, CDFW recommends a 50-foot no-disturbance buffer be employed around all burrows that could be used by MGS.

Mohave ground squirrel Take Authorization

If MGS are found within the Project area during preconstruction surveys or construction activities, consultation with CDFW is recommended to discuss how to implement the Project and avoid take; or if avoidance is not feasible, to acquire an ITP prior to any ground-disturbing activities, pursuant Fish and Game Code § 2081(b).

Burrowing Owl (BUOW)

Issue: BUOW have been documented within 6 miles of the Project area (CDFW 2018a). Desert habitat within the Project area may support small mammal burrows, a requisite habitat feature for BUOW. Habitat both within and surrounding the Project area may also provide suitable foraging habitat for BUOW.

Specific impact: Without appropriate avoidance and minimization measures for BUOW, potential significant impacts include nest abandonment, which may result in reduced nesting success such as reduced health or vigor of eggs or young, in addition to direct mortality in violation of the Migratory Bird Treaty Act and Fish and Game Code.

Evidence impact is potentially significant: The Project area is within the range of BUOW and suitable burrow habitat may be present on or in the vicinity of the Project area. BUOW rely on burrow habitat year round for their survival and reproduction. Threats to BUOW include habitat loss and degradation from urbanization of farmland, changes in agriculture practices, and loss of open lands (Gervais et al. 2008). In addition, activities including grading, disking, cultivation, earth moving, burrow blockage, heavy equipment compacting of burrows, and disturbance which may result in harassment of owls at occupied burrows have the potential to result in take of BUOW (CDFG 2012). Additionally, activities that may impact BUOW populations include eradication of host burrowers, changes in vegetation management, and use of pesticides and rodenticides (CDFG 2012). Therefore, the Project has the potential to

significantly impact local BUOW populations. In addition, and as described in CDFW's *"Staff Report on Burrowing Owl Mitigation"* (CDFG 2012), excluding BUOW is considered a potentially significant impact under CEQA.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential Project-related impacts to burrowing owl, CDFW recommends conducting the following evaluation of the Project site and including the following measures in a CEQA document.

BUOW Surveys

CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys following the California Burrowing Owl Consortium's (CBOC) *"Burrowing Owl Survey Protocol and Mitigation Guidelines"* (CBOC 1993) and CDFW's *Staff Report on Burrowing Owl Mitigation"* (CDFG 2012). CDFW advises that surveys include a 500-foot buffer around the Project area.

BUOW Avoidance

CDFW recommends implementing no-disturbance buffers, as outlined in the *"Staff Report on Burrowing Owl Mitigation"* (CDFG 2012), prior to and during any ground-disturbing activities associated with Project implementation. Specifically, CDFW's Staff Report recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

BUOW Passive Relocation and Mitigation

If BUOW are found to occupy the Project site and avoidance is not possible, it is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if necessary, CDFW recommends that

burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW recommends replacement of occupied burrows with artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting BUOW. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance of the Project site during Project activities, at a rate that is sufficient to detect BUOW if they return.

American Badger

Issue: The Project area is within the range of American badger and contains suitable habitat features to support this species. American badger can occupy a diversity of habitats and requires sufficient food, friable soils, and open, uncultivated ground (Williams 1986).

Specific impact: Without appropriate avoidance and minimization measures for American badger, potential significant impacts include den abandonment, which may result in reduced health or vigor of young, in addition to direct mortality.

Evidence impact is potentially significant: The American badger population in California has been declining due to agriculture and urban development (Williams 1986). The Project area is within the range of American badger and suitable habitat may be present on or in the vicinity of the Project area. As a result, Project activities have the potential to significantly impact local populations of American badger.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential Project-related impacts to American badger, CDFW recommends conducting the following evaluation of the Project site and including the following measures in a CEQA document.

American Badger Surveys

To evaluate potential Project-related impacts to the American badger, CDFW recommends that a qualified biologist conduct focused surveys for American badger and their requisite habitat features, in advance of Project implementation.

American Badger Avoidance

Avoidance whenever possible is encouraged via delineation and observing a 50-foot no-disturbance buffer around dens.

II. Editorial Comments and/or Suggestions

Notification of Lake and Streambed Alteration: CDFW has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource, pursuant to Fish and Game Code §§ 1600 et seq. Section 1602(a) of the Fish and Game Code requires an entity to notify CDFW before engaging in activities that would substantially change or use any material from the bed, channel, or bank of any stream or substantially divert or obstruct the natural flow of a stream.

Additionally, Business and Professions Code 26060.1 (b)(3) includes a requirement that California Department of Food and Agriculture cannabis cultivation licensees demonstrate compliance with Fish and Game Code § 1602 through written verification from CDFW. CDFW recommends submission of a Lake and Streambed Alteration Notification to CDFW for the proposed Project prior to initiation of any cultivation activities.

Desert Kit Fox: The proposed Project site is within desert kit fox range and contains suitable habitat for the species. The desert kit fox is protected under Title 14, California Code of Regulations, Section 460, which prohibits take of the species at any time. CDFW recommends that the USFWS "Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance" (2011) be followed and that surveys be conducted accordingly and prior to commencing any Project-related activities. If any active or potential dens are found on the Project site during these surveys, consultation with CDFW would be warranted for guidance on take avoidance measures for the desert kit fox.

Nesting birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include §§ 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Habitat within the Project area likely provides nesting habitat for birds. For this reason, CDFW encourages Project implementation occur during the non-nesting bird season. However, if ground-disturbing activities must occur during the breeding season (February through mid-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the work site to identify nests and determine their status.

A sufficient area means any area potentially affected by a project. In addition to direct impacts (i.e. nest destruction), noise, vibration, odors, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends the work causing that change cease and CDFW consulted for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data#44524420-pdf-field-survey-form>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources Code, § 21089).

City of California City
April 24, 2018
Page 10

If you have any questions, please contact Benessa Galvan, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 243-4014, extension 244, or by electronic mail at Benessa.Galvan@wildlife.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie Vance", with a large, sweeping flourish at the end.

Julie A. Vance
Regional Manager

Literature Cited

Boarman, W. I., 2002. Threats to Desert Tortoise Populations: A Critical Review of Literature. U.S. Geological Survey Western Ecological Research Center, August 9, 2002.

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DEPARTMENT OF TRANSPORTATION

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*Making Conservation
a California Way of Life.*

April 11, 2018

Ms. Anu Doravari
California City Planning Department
21000 Hacienda Blvd.
California City, California 93505

File: KER-14-22.45
IS/ND
SCH #: 2018031072

Zone Change 18-01 - Initial Study, Negative Declaration, and General Plan Amendment for Medical Cannabis Cultivation

Dear Ms. Doravari:

Thank you for giving the California Department of Transportation (Caltrans) District 9 the opportunity to review the proposed zone change to allow Medical Cannabis Cultivation, east of State Route (SR) 14. We offer the following:

- We recommend that project access to SR 14 is taken via California City Boulevard, rather than the at-grade SR 14 intersection with Pesch Boulevard and Leiman Road.

We value our cooperative working relationship with California City on projects affecting the State Transportation System. Please contact me at (760) 872-0785, with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Gayle J. Rosander".

GAYLE J. ROSANDER
External Project Liaison

c: State Clearinghouse
Mark Reistetter, Caltrans

May 8, 2018

Devery Grimshaw/ Locam LLC MM Michael J. Meister
8100 California City Blvd.
California City, CA 93505

City of California City
21000 Hacienda Blvd.
California City, CA 93505

Proposed zone change APN 225-083-03


City Staff,

Please find the attached application for zone change and general plan amendment for APN 225-083-03 a 20-acre parcel located in California City, CA. The parcel shares a property line on the north and west that are currently zoned to M-1 industrial. With the current zoning neighboring our parcel to the North and the West we feel to maintain the value and best use of our land that it should also be rezoned to M-1 industrial to confirm with the new surrounding zoning and general plan.

We intend to market our property industrial industries like solar farm companies, storage facilities, industrial park investors/developers and the cannabis industry as allowed by the city ordinance.

Thank you for your time and consideration.

Sincerely,


Devery Grimshaw